

November 28, 2008

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT
Elisabeth A. Shumaker
Clerk of Court

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DANA JARVIS,

Defendant - Appellant.

No. 08-2223

(D. Ct. N.M. 1:05-CR-01849-JCH-1)

ORDER

Before **O'BRIEN, EBEL**, and **TYMKOVICH**, Circuit Judges.

The "Stipulated Motion to Stay Appeal Pending Resolution of Plea" filed jointly by the parties to this appeal is GRANTED. Consideration of the pending petition for rehearing will be held in abeyance and the parties are granted leave to return to the district court for consideration of a plea agreement.

If a plea agreement is finalized, the parties shall notify the court and file an appropriate motion to conclude this appeal within fourteen days from the date an approved plea agreement is docketed in the district court. If no approved plea agreement

has been docketed by January 12, 2009, the parties shall on or before that date file a joint status report with this court advising of the state of proceedings in the district court.

Entered for the Court
ELISABETH A. SHUMAKER
Clerk of Court

A handwritten signature in dark ink, appearing to read "Douglas E. Cressler", written in a cursive style.

by:
Douglas E. Cressler
Chief Deputy Clerk